

AGN. NO. _____

MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

JUNE 21, 2005

At the direction of the Board of Supervisors, County staff has initiated a revocation/modification procedure relative to the Agua Dulce Airpark. The proposed revocation/modification is currently pending before the Regional Planning Commission, and it is likely that the Commission's action will be appealed to the Board of Supervisors. While there are many issues under review, it is essential that staff identifies what rights the County has to restrict the type of aircraft that can utilize this airport.

Recently, an appellate court in Florida determined that the City of Naples has the authority to ban older Stage 2 jets from taking off and landing at a private airport within their city limits. The court ruled that the FAA's authority did not pre-empt the local jurisdiction from implementing the ban. County Counsel should research the Florida case and determine if there are implications for the County's pending decision relative to the Agua Dulce Airpark.

I, THEREFORE, MOVE that the Board of Supervisors direct County Counsel to investigate the recent Appellate Court decision in the Naples case in Florida, and determine if this case has any bearing on the pending revocation/modification action relative to the Agua Dulce Airpark, and report back to the Board within thirty days.

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aguadulceairpark

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